

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 18TH DAY OF JUNE 1998

PRESENT

THE HON'BLE MR. R.P. SETHI, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE K. R. PRASAD RAO

WRIT PETITION NO. 17508/1997

BETWEEN:-

B.N. Chandra Shekar,
S/o. B. Narayanapp
Aged about 46 years,
Inspector of Schools
Block Education Officer
Hosadurga Taluk,
Chitradurga District,
R/o. Kote Gangasamudra Street,
Hosadurga Taluk,
Chitradurga District.

..PETITIONER

(By Sri P. Changalaraya Reddy, Advocate)

AND:-

1. The State by its Principal Secretary to Government, Education Department, M.S. Building, Bangalore-1.
2. Commissioner for Public Instructions in Karnataka, Nrupathunga Road, New Public Offices Building, Bangalore.

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3. The Joint Director of Public Instructions, Bangalore Division, K. G. Road, Bangalore-9.
4. The Block Education Officer Hosadurga Taluk, Hosadurga.
5. The Registrar, Karnataka Administrative Tribunal, Indiranagar, Bangalore-8.

..RESPONDENTS

(By Sri U. Abdul Khadeer, AGA)

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This Writ Petition filed u/a 226 & 227 of the Constitution of India praying to set aside the decision of the Karnataka Administrative Tribunal rendered in application vide Ann-h dated 5-6-97 and order dated 19-8-1996 by R3, Annexure-H and etc.

This Writ Petition coming on for preliminary hearing this day, the Court made the following:-

O R D E R

We have heard the learned counsel for the parties.

2. Vide order dated 19.8.1996, the Joint Director of Public Instructions held that the petitioner was not entitled to additional increment

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as no departmental examination was prescribed for the post of Secondary School Assistant Grade-II under the Karnataka Civil Services (Service and Kannada Language Examination) Rules, 1974. Only because the petitioner had passed an examination, would not ^{ipso} ~~ipso~~ facto entitle him to grant ^{of} additional increment as prayed. The reliance of the learned counsel for the petitioner on Entry No.44 Schedule-II to the Karnataka Civil Services (Service and Kannada Language Examination) Rules, 1974 is misplaced because the examinations specified therein are prescribed for all Class-1 and 2 Officers. Admittedly, the petitioner does not belong to any of the aforesaid class.

3. No merit. Dismissed.



mvs/

Sd/-
JUDGE

Sd/-
JUDGE